

## **REMARKS**

Claims 1-9, 11, and 14-23 are pending.

### ***Claim Rejections – 35 U.S.C. §103***

The Examiner has rejected Claims 1-9, 11, and 14-23 under 35 U.S.C. §103(a) as being unpatentable by Wang (6,604,107) in view of Aoki (2001/0039531) further in view of Alaia (6,199,050). The rejections are respectfully traversed.

Pursuant to 35 U.S.C. §103(c), Alaia is unavailable as a reference. An assignment of the present application to Freemarkets, Inc. was recorded on July 3, 2003 at Reel/Frame 014319/0180. Alaia is a divisional of U.S. Application No. 09/252,790 (now U.S. Patent No. 6,230,146). An assignment of the ‘790 Application to Freemarkets, Online, Inc. (which recorded a name change to Freemarkets, Inc. on May 14, 2001 at Reel/Frame 011796/0498) was recorded on April 27, 1999, at Reel/Frame 009945/0263. Applicants respectfully request that any rejection based on Alaia be withdrawn. As the Examiner has cited Alaia against all pending independent claims (1, 11, and 20), all of the independent claims are therefore believed to be allowable.

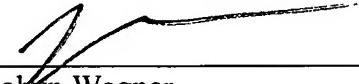
Claims 2-9, 14-19, and 22-23 claims depend, directly or indirectly, from one of the aforementioned independent claims and are believed to be allowable for the same reasons described above.

The foregoing amendments are not to be taken as an admission of unpatentability of any of the claims prior to the amendments.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

Respectfully submitted,

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